

Smart laws keep our communities safe

By: Senator Debby Barrett

I've always believed that government exists for just a few basic reasons; to facilitate the economy, to ensure responsible use of our environment, and to keep the peace. And it's important that every function of government be efficient, effective, and serve to improve our communities. Unfortunately, government is sometimes driven by misguided objectives that lead to public policy disasters. A classic example is America's unique and disappointing problem with expensive, over incarceration.

The United State's has by far the highest incarceration rate of any industrialized country in the world at 716 inmates for every 100,000 citizens. The next highest rate for an industrialized nation is Russia, at 470 inmates for every 100,000 citizens. The cruel reality is that we use our detention facilities as a universal tool for punishment, leading to a "lock-em up" culture that costs taxpayers millions and millions of dollars every year.

I think we can all agree that law enforcement and detention facilities are an essential function of government, and should be well funded to ensure the safety of our communities. But there is a line separating what is essential for public safety, and what is simply politically convenient. And when public policy becomes driven by convenience rather than utility, we all suffer the consequences.

Just look at how expensive incarceration is right here in Montana. It costs the state over \$30,000 every year for each prisoner incarcerated in our correctional facilities. Compare that to the \$13,000 that we spend on each student in our schools. Does that really sound like a smart investment of our public resources?

I think it's clear that throwing money at a problem like crime is ineffective with our country's culture of quick incarceration. We must re-prioritize what crimes deserve the punishment of jail time, and what crime can be handled in a different, more effective manner.

The requirements in Montana statute compelling local prosecutors to seek a sentence of incarceration for first time offenders of non-violent crimes puts a

strain on resources, and limits the ability of local detention centers to handle more dangerous criminals. For every first time offender of a non-violent crime that we incarcerate, that is resources we take away from incarcerating violent criminals that pose a dangerous threat to society. Does it really make sense to lock-up the person writing bad checks before the person convicted of assault?

Mass incarceration is a problem in every state across the country, and there is a lot that our federal government can do to change the "lock-em up" culture in America. But the real progress is made when change starts at the bottom, in our communities, and at our state legislatures.

Last week, two proposals were introduced in the Senate aimed at changing how we deal with non-violent crimes in our communities, passing the body with overwhelming bi-partisan support. Senator Nels Swandal, R-Wilsall, introduced SB 90, a proposal to reduce the penalty for minor, non-violent offenses from jail sentences to fines, and SB 61, introduced by Senator Robyn Driscoll, D-Billings, which would reduce the court's authority to incarcerate for nonpayment of fines.

These two simple measures are projected to save the state almost \$4,000,000 over the next four years, so just imagine what we could save if we took a bigger swing at reforming how we use correctional facilities to enforce our laws.

We have to prioritize how we use incarceration for law enforcement. Otherwise, we will continue to dump resources into a perverse and inefficient system with an unclear "correctional" objective. It takes efforts like those of Senators Driscoll and Swandal to improve America's culture of corrections, as common sense proposals like these prioritize how we deal with crime in our communities.

Senator Debby Barrett, R- Dillon, is an eight term lawmaker representing Senate District 36 in the Montana Legislature. She serves as Senate President for the 64th legislative session.

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